

PHILLIP A. TALBERT
United States Attorney
CAMERON L. DESMOND
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

YOVANNY ONTIVEROS,

Defendant.

CASE NOS. 2:18-CR-00175-
TLN; 21-CR-00104-TLN

ORDER DECLARING FORFEITURE OF BOND

WHEREAS, the defendant Yovanny Ontiveros was released from custody in this case on a \$100,000 secured bond, signed by Sureties Juan De Dios Rojo Garcia, Rosa Luz Cebreros de Rojo, and Jaime A. Garcia; and

WHEREAS, one of the conditions of release was that the defendant make all court appearances required in this case; and

WHEREAS, the defendant failed to appear as ordered on November 30, 2023, in violation of the conditions of his release; and

WHEREAS, Rule 46(f)(1) of the Federal Rules requires that the court declare the bail forfeited if a condition of the bond is breached.

Based on the foregoing, and for good cause shown, IT IS HEREBY ORDERED that:

Pursuant to Title 18, United States Code, Section 3146(d) and Rule 46(f)(1) of the Federal Rules of Criminal Procedure, the \$100,000 appearance bond in this case is ordered FORFEITED.

Pursuant to Rule 46(f)(3)(B) and (C), the Clerk of the Court is directed to serve a copy of this Order pursuant to Rule 46(f) by U.S. mail on the following people at the following address:

Rosa Luz Cebreros de Rojo
Juan De Dios Rojo Garcia, and
Jaime A. Garcia Ekaterina Drapkin
2124 Amanda Way,
Sacramento, CA 95822

The United States is directed, pursuant to Federal Rule of Criminal Procedure 46(f)(2)-(3), to file a motion with the District Court for an Order of Default Judgment, at which time the District Court will determine whether to enter judgment. *See United States v. Plechner*, 577 F.2d 596, 598 (9th Cir. 1978) (“A forfeiture ordered by a magistrate is valid if adopted by the district court.”); *see also United States v. Gohar*, 2:17-cr-00232-GEB, ECF 212-216.

IT IS SO ORDERED.

DATED: MARCH 28, 2024



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE